

THE HONORABLE TANA LIN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

STIRLING HORT, LLC, a Washington  
limited liability company,

Plaintiff,

v.

INDUSTRIAL VENTILATION, INC., an  
Idaho corporation,

Defendant.

) Case No. 2:22-cv-01155-TL

)

)

) STIPULATED MOTION AND ~~PROPOSED~~  
) ORDER TO CONTINUE TRIAL DATE AND  
) DISCOVERY DEADLINES

)

) NOTE ON MOTION CALENDAR:

) MARCH 17, 2023

)

)

)

)

Pursuant to Judge Lin's Standing Order for All Civil Cases and WDWA LR 7(d)(1)  
Plaintiff and Defendant jointly present the following stipulation and request that the Court  
continue the current trial date and enter an amended case scheduling order as set out below:

**STIPULATION**

1. Plaintiff and Defendant have filed competing motions that are presently before  
the Court. Defendant Industrial Ventilation Inc.'s Motion to Dismiss Complaint, (filed 11/10/22,  
Dkt. No. 25); Plaintiff's Motion to Abstain and Remand to State Court (filed 11/28/22, Dkt. No.  
28). The motions may lead to a dispositive decision, or remand of the case back to the  
Washington State Superior Court, Skagit County. Given the pendency of these motions, the  
parties have paused undertaking extensive discovery. The parties understand and appreciate that

**STIPULATED MOTION AND ORDER TO  
CONTINUE TRIAL DATE AND DISCOVERY  
DEADLINES**

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1 the Court is experiencing a significant backlog, and that resolution of the motions may not be  
2 determined for several months.

3 2. This matter is currently scheduled for trial to commence October 23, 2023. Order  
4 Setting Jury Trial Date and Related Dates (September 29, 2023, Dkt. #23). The associated  
5 deadlines with this trial date could require the parties to commence and complete discovery and  
6 secure expert reports before determination of the motions. Moreover, a critical damages expert  
7 for Plaintiff has also disclosed that her expert report cannot be completed until mid-May 2023  
8 because of paternity and vacation schedules in her office.  
9

10 3. The parties agree that continuance of the pending trial date and associated  
11 deadlines would be appropriate to allow the Court time to rule on the pending motions, and to  
12 avoid undue, potentially wasteful expense. The parties therefore respectfully request that the  
13 Court continue the trial to a date that is available after **April 1, 2024**. In addition, the parties  
14 request that all associated deadlines set out in the Order Setting Jury Trial Date and Related Dates  
15 (Dkt. #23) be continued in conformity with the new trial date.  
16

17 DATED this 17<sup>th</sup> day of March, 2023.

18 Respectfully submitted,

19 By /s/ Mark J. Lee

20 Mark J. Lee, WSBA #19339  
21 Haylee J. Hurst, WSBA #51406  
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26 **STIPULATED MOTION AND ORDER TO**  
27 **CONTINUE TRIAL DATE AND DISCOVERY**  
**DEADLINES**  
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By /s/ Ted Buck

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*Attorneys for Defendant*

\*Signature authorized by email dated March 17, 2023.

**ORDER**

The parties' stipulated Motion to Continue Trial Date and Discovery Deadlines is hereby GRANTED. The Court will issue an amended Order Setting Jury Trial Date and Related Dates that sets a new trial date after April 1, 2024 and extends all pretrial deadlines in conformity with the trial date continuance.

DATED THIS 24th day of March 2023.



Tana Lin

United States District Judge